

REMARKS

This Amendment is in response to the Office Action dated August 20, 2008. Applicant respectfully requests reconsideration and allowance of all pending claims in view of the above-amendments and the following remarks.

I. STATUS OF CLAIMS

Claims 1, 4-14, 17-22 and 24-25 are rejected as being unpatentable over Hladik U.S. Patent No. 6,192,501 in view of Kobayashi U.S. Patent No. 6,873,665 and further in view of Sugimoto U.S. Patent No. 6,807,329.

Claims 2, 3, 15, 16 and 23 are indicated as being allowable if rewritten into independent form.

II. CLAIM AMENDMENTS

A. **Independent claims 1 and 25**

Independent claims 1 and 25 are amended to include new and non-obvious characteristics from dependent claim 2.

Although not all elements of claim 2 are added to claims 1 and 25, none of the cited documents discloses the concepts from claim 2 that at a given instant k , the value $a(k)$ assigned to the forward variable is smaller than a minimum value of the forward variable at the instant k and/or the value $b(k)$ assigned to the backward variable is smaller than a minimum value of the backward variable.

Since claim 2 was indicated as being directed to allowable subject matter, claims 1 and 25 are in condition for allowance.

Dependent claims 2-24 are also in condition for allowance due to their dependency on claim 1.

Applicant therefore respectfully requests that the proposed amendments be entered to overcome the rejections under §103(a).

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: /David D. Brush/
David D. Brush, Reg. No. 34,557
900 Second Avenue South, Suite 1400
Minneapolis, Minnesota 55402-3319
Phone: (612) 334-3222 Fax: (612) 334-3312

DDB:akb